

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Joseph A. Zupanick et al. Art Unit : 3746  
Serial No. : 10/627,551 Examiner : Cheryl Jackson Tyler  
Filed : July 25, 2003  
Title : FLUID CONTROLLED PUMPING SYSTEM AND METHOD

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 CFR §§3.73(b) AND 1.321(b)

Pursuant to 37 CFR §3.73(b), CDX GAS, LLC, a Texas limited liability company, certifies that it is the assignee of the entire right, title, and interest in the above application by virtue of:

☒ Assignments from the inventors of the patent application identified above. An assignment from inventor Joseph A. Zupanick was recorded in the Patent and Trademark Office at Reel 011761, Frame 0154 on April 24, 2001, and a copy thereof is attached. An assignment from inventor Monty H. Rial is being submitted to the Patent and Trademark Office for recordal, and a copy is attached.

☐ A chain of title from the inventors of the patent application identified above, to the current assignee as shown below:

1. From \_\_\_\_\_ to \_\_\_\_\_. The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.

2. From \_\_\_\_\_ to \_\_\_\_\_. The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.

The undersigned has reviewed all the documents in the chain of title of the above-identified application and to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EV500877508US

November 29, 2004  
Date of Deposit

12/02/2004 WABDELRI 00000061 10627551 110.00 DP 02 FC:1814

Applicant : Joseph A. Zupanick et al.  
Serial No. : 10/627,551  
Filed : July 25, 2003  
Page : 2 of 3

Attorney's Docket No.: 17601-011002 / 067083.0232

Pursuant to 37 CFR §1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above identified application subsequent to the expiration date of U.S. Patent Nos. 6,497,556 issued December 24, 2002 and 6,604,910 issued August 12, 2003, whereby the patent granted on this application and U.S. Patent Nos. 6,497,556 and 6,604,910 will expire on the same day, provided that any patent granted on the above identified application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent Nos. 6,497,556 and 6,604,910.

The assignee identified above does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term of U.S. Patent Nos. 6,497,556 and 6,604,910 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Patent Nos. 6,497,556 and 6,604,910.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

Enclosed is a check for \$110 for the required fee pursuant to 37 CFR §1.20(d).

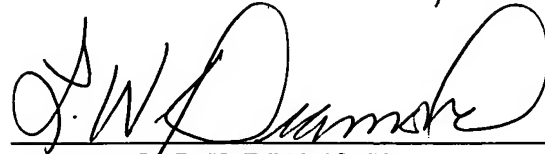
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Applicant : Joseph A. Zupanick et al.  
Serial No. : 10/627,551  
Filed : July 25, 2003  
Page : 3 of 3

Attorney's Docket No.: 17601-011002 / 067083.0232

CDX GAS, LLC

Date: Nov. 15, 2004

A handwritten signature in black ink, appearing to read "L. W. Diamond", written over a horizontal line.

LAWRENCE W. DIAMOND

Title: Vice President of CDX Gas, LLC

Fish & Richardson P.C.  
5000 Bank One Center  
1717 Main Street  
Dallas, Texas 75201  
Telephone: (214) 292-4034  
Facsimile: (214) 747-2091

90097848.doc